THE HON'BLE MR JUSTICE S.ANANDA REDDY

Writ Petition No.16361 of 2005

04-08-2005

Between:

K.Venkata Satyanarayana, S/o K.Sita Ramaiah, aged about 55 years, R/o V.V.Puram, Urban Mandal, Khammam District.

... PETITONER

AND

1.The Hon'ble Industrial Tribunal-cum-Labour Court, Warangal, rep. By its Presiding Officer and another.

.....RESPONDENTS

THE HON'BLE MR JUSTICE S.ANANDA REDDY

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Writ Petition No.16361 of 2005

ORDER:

This writ petition is filed aggrieved by the orders of the first respondent in not condoning the delay as well as in dismissing the I.D., for default.

The learned counsel for the petitioner contended that the Labour Court ought to have condoned the delay and set aside the default order in order to decide the matter on merits. In fact, at the time of hearing, the learned counsel contended that the Labour Court is obligated to decide the matter on merits even in the absence of the parties and there is no provision for dismissing the I.D., for default. The learned counsel reiterated the contentions raised in the affidavit filed in support of the writ petition.

Heard the learned counsel for the petitioner and the learned Government Pleader for Labour appearing for the respondents.

As the order passed by the Labour Court in dismissing the I.D., for default is not in accordance with law, the same is set aside and the matter is restored to file of the Industrial Tribunal-cum-Labour Court, Warangal for adjudication on merits. Therefore, taking into consideration the view expressed by this Court on the award of the Labour Court passed in the main I.D., the contention with reference to the orders passed in I.A., need not be gone into.

The writ petition is accordingly disposed of. No costs.

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04.08.2005

VGB